

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF WASHINGTON  
PROBATION OFFICE

**BRANCH OFFICES**

**SCOTT M. MORSE, SR.**

CHIEF PROBATION OFFICER  
Thomas S. Foley  
United States Courthouse  
920 W Riverside, Room 540  
PO BOX 306  
SPOKANE, WA 99210-0306  
(509) 742-6300 / fax (509) 742-6339

January 15, 2015

FEDERAL BUILDING  
25 S. 3<sup>rd</sup> Street, Room 326  
PO BOX 1791  
YAKIMA, WA 98907-1791  
(509) 574-5535 / fax (509) 574-5539

FEDERAL BUILDING  
825 Jadwin Ave, Suite 170  
RICHLAND, WA 99352-0446  
(509) 943-8130 / fax (509) 943-8139

REPLY TO Spokane

The Honorable John T. Rodgers  
United States District Court  
Thomas S. Foley United States Courthouse  
920 West Riverside Avenue, 7th Floor  
Spokane, WA 99201-1010

**RE: SIMONS, Donovan**  
**DOCKET NO.: 2:14PO00340-JTR-1**  
**CURRENT LOCATION: Unknown**  
**VIOLATION REPORT/**  
**REQUEST NO ACTION**

Dear Judge Rodgers:

On November 6, 2014, the defendant appeared in custody before Your Honor for the purpose of an initial appearance. The defendant was ordered to be released and placed on pretrial release supervision.

On November 19, 2014, a report of violation was filed alleging that the defendant failed to report a change in residence, and he failed to report to the United States Probation Office as directed on or about November 7, 2014.

On November 19, 2014, a warrant was issued for the defendant.

On December 4, 2014, the warrant was executed and the defendant made an appearance before Your Honor. The defendant was ordered to be released, placed on pretrial release supervision, and was ordered to report to the United States Probation Office upon release.

On December 8, 2014, a report of violation was filed alleging that the defendant failed to report to the United States Probation Office as directed on or about December 5, 2014, and had made no contact with United States Probation.

**SIMONS, Donovan**

**January 15, 2015**

**Page 2**

On December 8, 2014, a warrant was issued for the defendant.

On December 22, 2014, Mr. Simons was taken into custody and made an appearance before Your Honor. The defendant was ordered to be released on an unsecured \$500 appearance bond, placed on pretrial release supervision, and pretrial services was directed to prepare a report on the defendant for the Court.

The purpose of this letter is to notify the Court of alleged violations of pretrial release supervision.

**Condition #2:** Defendant shall not commit any offense in violation of federal, state or local law. Defendant shall advise the supervising Pretrial Services Officer and defense counsel within one business day of any charge, arrest, or contact with law enforcement. Defendant shall not work for the United States government or any federal or state law enforcement agency, unless Defendant first notifies the supervising Pretrial Services Officer in the captioned matter.

**Violation #1:** While gathering information for the report to the Court, it was found that the defendant was arrested on November 30, 2014, for a misdemeanor theft-shoplifting charge and unrelated warrants.

Specific to the shoplifting charge, the incident report states the defendant allegedly entered a local shop, concealed soda pop, gloves, and soy sauce and then left the store without paying. A security officer brought Mr. Simons back to the store. While waiting for the police to arrive, the defendant allegedly concealed a beer and several gift cards. When the police arrived, a search was performed and all property was located and returned to the complainant.

**Condition #6:** Defendant shall be supervised by pretrial services and report to the United States Probation Office before or immediately after release and shall report as often as they direct, at such times and in such manner as they direct.

**Violation #2:** The defendant was previously directed to report to the United States Probation Office on January 5, 2015. Mr. Simons called and left a voicemail message on January 5, 2015, however, failed to report. Mr. Simons was also previously directed to call and check in weekly, every Monday, but failed to do so on January 12, 2015. As of the writing of this report, the defendant still has not made contact.

The defendant's whereabouts are currently unknown.

**SIMONS, Donovan**

**January 15, 2015**

**Page 3**

Based on the above-noted information this officer respectfully recommends that the Court take no action at this time and address the above noted information at the defendant's next scheduled hearing which is set for January 20, 2015. Should the Court have any further questions, please contact the undersigned officer.

Respectfully submitted,

Scott M. Morse, Sr.  
Chief U.S. Probation Officer

By: s/Charles Kuipers 01/15/2015  
Charles Kuipers Date  
U.S. Probation Officer

Approved By:

s/Matthew L. Thompson 01/15/2015  
Matthew L. Thompson Date  
Supervising U.S. Probation Officer

#### THE COURT ORDERS

- ☒ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

01/15/2015

Date